

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

MARK HURN,

Defendant.

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ORDER

05-cr-85-bbc

On March 20, 2009, defendant Mark Hurn filed a motion asking the court to allow the federal defender to withdraw and have the court appoint new counsel for him to file his motion pursuant to 18 U.S.C. § 3582. In an order dated March 24, 2009, I advised defendant that the court would grant his motion but that defendant would have to appear pro se. I gave him until March 31, 2009, to advise the court of his decision. Defendant has responded, advising that he wishes to proceed with the federal defender as his counsel. The federal defender has now filed a motion for modification of sentence pursuant to 18 U.S.C. § 3582 and a briefing schedule has been set on the motion.

ORDER

Based upon defendant's representation that he wishes the federal defender to continue as his counsel, his motion to allow counsel to withdraw is DENIED as moot.

Entered this 30th day of March, 2009.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge